

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: **Frans G. DAVELAAR**  
Serial No.: **10/054,288** Group Art No.:  
Filed: **November 13, 2001** Examiner:  
For: **METHODS AND VACCINES FOR PROVIDING IN OVO  
PROTECTION AGAINST TURKEY RHINOTRACHEITIS**  
Confirmation No.: **5326**  
Customer Number: **25291**

Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS  
AND  
SUBMISSION OF SUBSTITUTE SPECIFICATION

Sir:

This is in response to the Notice to File Missing Parts of the Application mailed on **March 15, 2002**.

Enclosed is a COPY of the Combined Declaration and Power of Attorney form signed by the inventor. The ORIGINAL of this form was sent to the Patent Office via Express Mail (EL909158589US) on March 6, 2002. We have enclosed a copy of the Express Mail Receipt as well as our postcard which is stamped received by the Patent & Trademark Office on March 6, 2002.

Also enclosed is a copy of the Notice to File Missing Parts.

No fee is believed due with this transmittal. However, should the \$130.00 fee noted on the enclosed Notice to File Missing Parts apply to this submission, it should be charged to Deposit Account No. 01-1425. A duplicate copy of this sheet is enclosed for deposit account charging purposes.

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL909158615US addressed to the Commissioner for Patents, Box Missing Parts, Washington, DC 20231.

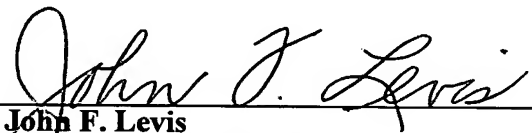
April 10, 2002  
Date

Karen L. Reilly  
Karen L. Reilly

In addition, a substitute specification is being provided herewith that complies with 37 CFR §1.52. In accordance with 37CFR §1.125, the substitute specification includes no new matter. On pages 35-38 of the substitute specification, the line spacing has been changed from single spacing to 1 1/2 line spacing as requested by the Office.



Respectfully submitted,

  
\_\_\_\_\_  
John F. Levis  
Attorney for Applicants  
Reg. No. 34,210

Wyeth  
Patent Law Department  
Five Giralda Farms  
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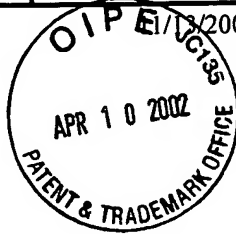


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/054,288         | APR 10 2002         | Frans Gerrit Davelaar | AHP-98249              |

25291  
WYETH  
FIVE GIRALDA FARMS  
PATENT LAW  
MADISON, NJ 07940



CONFIRMATION NO. 5326

## FORMALITIES LETTER



\*OC000000007653230\*

Date Mailed: 03/15/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).

*A copy of this notice **MUST** be returned with the reply.*

*T. M. L.*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Case No. AHP-98249 Attorney: JOHN F. LEVIS

Applicants: DAVE LAR FRANS G.

Filed: NOV. 13, 2001

Serial No.: 10/054,288

For: Method of Vaccine for Providing In Vivo Protection Against Turkey Rhinoviruses

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Patent Application (\_\_\_\_ pages)  
☐ Specification (\_\_\_\_ pages)  
☐ Claims (\_\_\_\_ pages)  
☐ Abstract (1 page)  
☒ Oath/Declaration/Power of Attorney  
☒ Transmittal Letter  
☐ Drawings \_\_\_\_ Sheets  
☐ Informal  
☐ Formal  
☐ Sequence Listing Disk  
☐ Rule 821 (f) Statement  
☐ Assignment  
☐ Assignment Record. Form  
☐ Disclosure Statement  
☐ Form PTO-1449  
☐ With References

- ☐ Amendment/Response  
☐ Affidavit/Declaration  
☐ Extension of Time Request  
☐ Notice of Appeal  
☐ Brief on Appeal  
☐ Reply Brief on Appeal  
☐ Petition Under 37 C.F.R.

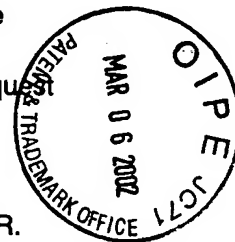
- ☐ Issue Fee Transmittal Form  
☐ Terminal Disclaimer

☒ Express Mail Certificate

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☐ Other

Date Mailed: MARCH 6, 2002



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| Date In<br><u>3/6/02</u>   | <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM                   | Postage<br><u>\$12.45</u>                      |
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| Weight<br><u>3.4</u> lbs. <u>0.75</u> ozs.                                       | Int'l Alpha Country Code  | COD Fee  |
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(AHP-98249) (John Levis)

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